

## **REMARKS**

By this Amendment, claims 47, 48, 57, and 59-61 are canceled, claims 38, 42, 43, 45, 49, 51, 54, and 58 are amended, and claims 62-67 are newly added. Consequently, claims 38-46, 49-56, 58, and 62-67 are pending in this application. Of those, claims 38, 51, 54, 62, and 65 are independent claims.

Applicant takes this opportunity to thank the Examiner and his supervisor (Mr. Denion) for the courtesy extended to Applicant during the personal interview held on October 31, 2007. At the interview, the outstanding rejections in the Office Action dated July 9, 2007 were discussed. The following remarks reflect the subject matter discussed during the interview.

### **35 U.S.C. § 103(a) Rejection**

In the Office Action, claims 38-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,590,766 (Striebich) in view of U.S. Patent No. 5,327,987 (Abdelmalek). Although Applicant does not necessarily agree with this rejection, Applicant has amended independent claims 38, 51, and 54 as suggested by the Examiner.

For example, independent claim 38 was amended to incorporate the subject matter of now-canceled claims 47 and 48 and to replace the term “expander wheel” to --fly wheel--, as suggested by the Examiner. Independent claim 54 was also amended to include similar recitations. With respect to claim 51, Applicant amended the claim to recite that a fly wheel and a condensation chamber are disposed in the same housing, which was identified by the Examiner at the Examiner as being another feature that would distinguish the claimed invention from the cited prior art. Claim 51 was also amended to replace the term “expander wheel” with --fly wheel-- and to specifically recite that at least a portion of the plurality of blades is disposed in the inlet of the condensation chamber.

For at least these reasons, independent claims 38, 51, and 54, and their respective dependent claims, patentably distinguish from the cited prior art. Thus, reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection based on Striebich and Abdelmalet is respectfully requested.

### **Double Patenting Rejection**

Claims 38-61 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,374,613 or U.S. Patent No. 6,729,137. Although Applicant does not necessarily agree with this rejection, Applicant submits herewith a Terminal Disclaimer to overcome this rejection.

### **New Claims 62-67**

During the interview, the Examiner acknowledged that this application contains additional subject matter that, although patentably distinct from the subject matter of the present application, may be patentably distinguishable over the cited prior art. Applicant thus presents new claims 62-64, directed to an auxiliary power unit, and new claims 65-67, directed to a method of providing auxiliary power to a primary power unit. Should examination of these claims not be appropriate in this application, Applicant respectfully requests that the Examiner clearly indicate in the next Office Action that the subject matter of new claims 62-67 is subject to a restriction requirement and therefore withdrawn from consideration in this application.

In view of the foregoing amendments and remarks, Applicant respectfully submits that all of the pending claims are in condition for allowance.

Respectfully submitted,

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By: \_\_\_\_\_

  
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